

The Senate District 8 Report

SENATOR LELAND Y. YEE, PH.D.



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YEE RECEIVES CHILDREN'S HERO AWARD



Senator Yee was recently honored with the “Children’s Hero Award” by the California Academy of Child and Adolescent Psychiatry (Cal ACAP). Cal ACAP recognized Yee in San Francisco for his legislative work to protect the youth of California and to help schools, domestic violence victims, and the disadvantaged.

In presenting the award, Cal ACAP stated: “*Senator Yee’s commitment to children is extraordinary. During his tenure in the California Senate, he has spearheaded legislation to shield children from the negative effects of domestic violence, child prostitution, and violent video games. His efforts to support youth in the juvenile justice system are particularly salient.*”

See CHILDREN on page 2

Inside This Issue ...

- | | |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2 | - Yee continues 100% lifetime record with Equality California |
| 3 | - Yee urges parents to avoid violent video game purchases
- Yee receives perfect score on environmental scorecards
- Bill reintroduced to end life sentences for youth |
| 4 | - In the news: Editorial – Leland Yee: The college crusader
- In the news: Editorial – Shining light on state universities |

SENATOR YEE REINTRODUCES PUBLIC UNIVERSITY TRANSPARENCY BILL



Senator Yee is hoping the third time’s a charm – or more importantly having a new governor – as he reintroduces legislation to bring greater transparency and accountability at California’s public higher education institutions.

As the Legislature convenes the 2011 Session, Yee introduced a bill that has twice been vetoed by Governor Arnold Schwarzenegger. Yee’s SB 8 would update the California Public Records Act (CPRA) to include auxiliary organizations and foundations that perform government functions at the University of California, California State University, and California’s community colleges.

“I am confident that unlike his predecessor, Governor-elect Jerry Brown will match his action with his rhetoric and sign this bill into law,” said Yee. “Our public universities should not be allowed to hide billions of dollars without any accountability. Most of these auxiliaries are fully staffed by public employees who administer public funds, yet their decisions are made in complete secrecy. Taxpayers and students deserve better.”

See UNIVERSITY on page 2

legislation has insured that incarcerated youth who are eligible for Medi-cal will continue to receive insurance coverage when released.

“His work in 2010 to pass the Juvenile Justice Bill of Rights acknowledged the high rates of mental health and substance use disorders in incarcerated youth. His legislation calls for the assessment and evidence based treatment of such disorders by trained professionals while they are in the juvenile justice system as an important part of their rehabilitation programs. Cal ACAP also strongly supports Senator Yee’s courageous efforts in the face his opposition to seek re-sentencing eligibility for youth who have been sentenced to life without parole.”

“It is truly an honor to receive this award from the California Academy of Child and Adolescent Psychiatry,” said Yee. “I am proud of the work we have done for California’s kids and look forward to continuing these efforts with the help of Cal ACAP. All children deserve an opportunity to succeed and that is why I have focused my legislative efforts on kids and why I have consistently voted against the state budget, because it unfairly cuts education, programs, and services for our youth.” ❖

SENATOR YEE CONTINUES 100% LIFETIME RECORD WITH EQUALITY CALIFORNIA

In 2010, Senator Yee continued his perfect lifetime legislative record on issues affecting gay, lesbian, bisexual, and transgender (LGBT) communities, earning a 100 percent on the latest scorecard issued by Equality California (EQCA) – the state’s leading LGBT civil rights and advocacy organization.

A total of 25 Equality California sponsored bills were passed in 2010, with a record 14 pieces of legislation adopted. Among the legislation signed into law are bills that enable at-risk youth to access mental health services without parental consent; repeal a state code mandating the search for a “gay cure;” eliminate legal barriers for same-sex couples wishing to dissolve their domestic partnership and civil marriage simultaneously; and ensure that same-sex couples in California have equal access to unemployment benefits.

“I am very proud to have a 100 percent record with Equality California – our state’s leading organization committed to equal rights for the LGBT community,” said Yee. “While there have been disappointing setbacks in the movement for equality, we fortunately are getting closer to the day when our state and nation finally ensures justice for all.”

Over the past twelve years, more than 70 Equality California-sponsored measures have passed the California State Legislature, including AB 1207 authored by Yee in 2006 to prohibit discrimination against LGBT candidates in political campaigns. Specifically, the law adds sexual orientation and gender identity to the Code of Fair Campaign Practices – a voluntary pledge that candidates may sign prior to entering a campaign. ❖



The most recent scandal of an auxiliary organization involved the CSU Stanislaus Foundation. The Foundation negotiated a speaking contract with Palin, but originally refused to disclose her compensation. They first claimed they had no documents pertaining to her June visit. After emails written by administrators regarding the visit were uncovered, they then claimed the Foundation was exempt from the state’s public records law despite being fully staffed by taxpayer-funded employees.

Students later found pages 4 through 9 of the Palin contract in the administration’s Dumpster, which showed her visit requirements included a hotel suite, first class airfare or a private Lear jet, pre-screened questions, and “bendable straws.” After a lawsuit filed by CalAware, a judge ruled that the CSU acted illegally and forced them to disclose the complete contract which showed she also received \$75,000 plus expenses.

The UC and CSU have often evaded the public records act by shifting some responsibilities to foundations and other auxiliary organizations operating on campuses. Several recent examples demonstrate the need for increased public oversight and accountability provided by Yee’s legislation:

According to the CSU Chancellor’s Office, in 2009, 20 percent of its \$6.7 billion budget, or \$1.34 billion, is held in their 87 auxiliaries and foundations, and out of public view.

While the community college administration was neutral on Yee’s bill, the administrations of the UC and CSU succeeded in getting a veto by falsely claiming it would result in a “chilling effect” on private donations. The bill, however, allows donors to stay anonymous under all circumstances unless they receive something of value over \$500 in return. Also, another state saw significant increases in donations after a similar law was enacted.

California’s major newspapers endorsed Yee’s previous bill, SB 330, including the San Francisco Chronicle, Los Angeles Times, Sacramento Bee, San Jose Mercury News, Santa Rosa Press Democrat, Merced Sun-Star, Fresno Bee, Stockton Record, Bakersfield Californian, Monterey County Herald, Modesto Bee, Long Beach Press-Telegram, Chico Enterprise Record, San Mateo County Times, Salinas Californian, South Bay Daily Breeze, and Woodland Daily Democrat, among others. ❖

YEE URGES PARENTS TO AVOID VIOLENT VIDEO GAMES WHEN HOLIDAY SHOPPING

Citing potential harmful effects on minors, child psychologist and Senator Yee is urging parents, families and friends to avoid violent video game purchases for children this holiday season.

“It is vitally important that parents and grandparents consider the content in video games before making holiday purchases,” said Yee. “There is significant evidence demonstrating ultra-violent video games have negative effects on children, and can cause real behavioral changes.”

Several studies by the Journal of the American Academy of Pediatrics, American Psychiatric Association, and American Psychological Association conclude that adolescents who play violent video games may become increasingly aggressive over time.

Yee’s 2005 law to prohibit the sale of extremely violent video games to minors in California is currently being litigated and under consideration by the Supreme Court of the United States. Another law, also authored by Yee in 2004, requires retailers to post signs to inform consumers about the video game rating system which indicates the age-appropriateness of the games.

Earlier this year, Yee joined the California Psychological Association and the American Academy of Pediatrics, California, in submitting a Supreme Court brief of amicus curiae or “friend of the court.” In the legal brief, Yee and the health organizations detailed the compelling evidence considered by the Legislature and the Governor in approving the law, as well as several more recent studies that show similar results:

Along with the amicus brief, over 100 leading researchers, scientists, and scholars from around the world endorsed a statement that included, “Overall, the research data conclude that exposure to violent video games causes an increase in the likelihood of aggressive behavior. The effects are both immediate and long term...Violent video games have also been found to increase aggressive thinking, aggressive feelings, physiological desensitization to violence, and to decrease pro-social behavior.”

Yee is urging adults to consider the following before purchasing video games for kids:

- Be aware of advertising and marketing to children.

Advertising pressure contributes to impulse buying.

- Check the age ratings and video game descriptors found on the box. Read other reviews, such as www.commonssensemedia.org, www.parentstv.org, and www.whattheyplay.com.

- Become familiar with the game.

- If there are violence and sexual themes in the title or cover picture, you can assume these themes are also in the game.

- Avoid “first person shooter” and “third person shooter” games, which usually focus on gunning down hundreds of people.

- Discourage games that reward the player with more points or new scenes for anti-social and violent behavior.

Several media sources urge parents to avoid the following bestselling violent video games – *Call of Duty: Black Ops*, *God of War III*, *Fable III*, *Battlefield: Bad Company 2*, *Mass Effect 2*, *BioShock 2*, *Assassins Creed: Brotherhood*, *Red Dead Redemption*, *Army of Two: The 40th Day*, *Dante's Inferno*, and *Fallout: New Vegas*. ❖

YEE RECEIVES PERFECT SCORE ON ENVIRONMENTAL SCORECARDS

Senator Yee received a perfect score (100 percent) on the 2010 Environmental Scorecard issued by the California League of Conservation Voters (CLVC). Last month, Yee also received a perfect score on the Sierra Club Report Card and was one of only four Senators to receive an “A” score for both 2009 and 2010 – the entire legislative session.

The CLVC scored legislators on 22 bills ranging from clean energy to water conservation to reducing smog.

“I am very proud to have stood with the League of Conservation Voters on the most important environment issues facing California,” said Yee. “I look forward to continuing our work together in 2011.”

CLCV’s mission is to protect the environmental quality of the state by increasing public awareness of the environmental performance of all elected officials, working to elect environmentally responsible candidates, and holding them accountable to the environmental agenda once elected. ❖

BILL REINTRODUCED TO END LIFE SENTENCES FOR YOUTH

Senator Yee has reintroduced legislation to end life sentences for juvenile offenders. No other country in the world outside of the United States allows children to be sentenced to life without parole (LWOP). In contrast, there are approximately 275 people in California serving LWOP for crimes they committed as kids.

Under Yee’s Senate Bill 9, courts could review cases of juveniles sentenced to life without parole after 10 years, potentially allowing some individuals to receive a new minimum sentence of 25 years to life. The bill would require the offender to be working towards rehabilitation in order to submit a petition for consideration of the new sentence.

Yee’s earlier attempt, SB 399, was approved with bipartisan support in the Senate but died during the final days of session in the Assembly.

The legislation has been supported by child advocates, mental health experts, civil rights groups, churches, and correctional officers. Most major newspapers also endorsed Yee’s effort last session, including the *San Francisco Chronicle*, *Los Angeles Times*, *Sacramento Bee*, *New York Times*, *Ventura County Star*, and the *San Diego Union-Tribune*. Senate President pro Tem Darrell Steinberg, Senator Juan Vargas and Assemblyman Felipe Fuentes have already signed on as co-authors to SB 9.

“The neuroscience is clear; brain maturation continues well through adolescence and thus impulse control, planning, and critical thinking skills are not yet fully developed,” said Yee, who is a child psychologist. “SB 9 reflects that science and provides the opportunity for compassion and rehabilitation that we should exercise with minors. SB 9 is not a get-out-of-jail-free card; it is an incredibly modest proposal that respects victims, international law, and the fact that children have a greater capacity for rehabilitation than adults.” ❖



Los Angeles Times

Sunday, December 5, 2010

EDITORIAL:

Leland Yee - The college crusader

The state senator admirably persists in seeking more oversight of college fundraising foundations.

State Sen. Leland Yee (D-San Francisco) has been one of the Legislature's most determined advocates of government accountability in recent years, a sometimes lonely undertaking in a Capitol dominated by public employee unions that want to hide their members' salaries and police unions that want to let officers hide their identities when they shoot people. But Yee is nothing if not persistent, and he intends Monday to introduce — for the third time — his bill to extend the reach of the California Public Records Act to include fundraising foundations that function as auxiliaries to state universities. The Legislature should pass it again, and the new governor should sign it.

Auxiliaries are arms of public universities established to assist university fundraising. The auxiliaries share offices and staff with their associated universities and sometimes even mingle funds with those institutions. But when the public asks about their practices, the groups claim they are private and thus not subject to the disclosure requirements of the Public Records Act. That's self-evidently abusive.

Indeed, the foundations have used their immunity from disclosure to perform plenty of mischief. An auxiliary affiliated with Sonoma State University lent more than \$1 million to a former board member, who then declared bankruptcy. At San Francisco City College, a campus executive was indicted for allegedly using auxiliary money for personal expenses. At Fresno State, donors to the auxiliary foundation got luxury boxes at the new campus arena, but the group won't disclose details. At Sacramento State, the campus president used auxiliary money to remodel his kitchen. If the auxiliaries or foundations were genuinely private, that might not be of great public consequence: Anyone who wants to give money to refurbish a kitchen is free to do so. But when the money is raised by public employees working out of public offices and for public purposes — and with gifts of public property offered in return — it should go without saying that the public has a right to monitor that activity.

Gov. Arnold Schwarzenegger had raised concerns about Yee's first bill, which he feared would discourage donors who prefer to give anonymously. In response, Yee amended his legislation so that it specifically exempts from disclosure any anonymous donor unless that donor receives something worth \$500 or more in return for the gift. That should have settled the matter, but after the bill passed both houses overwhelmingly, Schwarzenegger vetoed it again anyway.

Now Yee is back, and this time he has a new governor to convince. Gov.-elect Jerry Brown already has demonstrated more enthusiasm for this effort than his predecessor, having investigated the auxiliaries while he was attorney general and having found abuses. Now that he'll be governor, he has the chance to make Yee's bill the law. ❖

VENTURA COUNTY STAR

Sunday, December 5, 2010

EDITORIAL:

Shining light on state universities

If you're a California lawmaker, one good thing about the transition to a new governor is the opportunity to try, try again.

Legislation that was vetoed by one gov might be looked at more favorably by another.

Of course, when it's legislation we don't care for, which would include most of the proposed laws put forward by our state's bloviating pols, this second chance for success is no bargain.

But when it's reasonable legislation written in the interest of letting Californians know more about the way their state universities and colleges are governed, as is a proposed amendment to the California Public Records Act by Sen. Leland Yee, D-San Francisco, then we will applaud the tenacity.

Yee is the frequent University of California critic who, though he has multiple degrees, including a doctorate, from the great university, is the biggest burr under the UC's fat-and-happy administration's saddle.

He spends much of his legislative life railing, and rightly so, against the fact that the formerly fairly lean bureaucracy of the university system has grown into an expensive behemoth in which countless paper-pushers earn six-figure salaries for doing no one knows what - certainly not teaching our students.

In the current fiscal crisis, during which tuition has risen by orders of magnitude, the downtown Oakland headquarters of the university should be emptied and sold; the few administrators needed who are not attached to one campus or another could surely find a little free office space at say, UC Merced.

The bill Yee will reintroduce this week was twice vetoed by Gov. Schwarzenegger. It would update the public records act to include more complete disclosures by organizations and foundations that perform government functions at the University of California, California State University and the community colleges.

Yee cites the recent visit by Sarah Palin to CSU Stanislaus, where it took students literally digging in a Dumpster to find that a campus foundation was paying her \$75,000 to speak, as one example of the need for disclosure. The foundation claimed it was private - but in fact is fully staffed by state workers.

But there are many other examples of loopholes that allow billions of dollars in spending to go unexamined. At Sacramento State, the president used \$200,000 in foundation money to remodel his kitchen. At Sonoma State, a foundation board member was loaned \$1.25 million by the foundation itself - after he had resigned his position! The Fresno Bee in 2001 was denied information about people and companies given luxury suites at the campus sports arena after donating to a CSU foundation. A court ruled for the university - but only after noting that the Legislature ought to take action to require full financial disclosure by the quasi-private foundations.

We urge the Legislature to once again pass Yee's updated version of his former SB 330, and for Gov.-elect Jerry Brown to sign it as a signal of his commitment to open government. ❖